

Appl. No. 09/909,233
Atty. Docket No. CM2505
Amdt. dated November 1, 2006
Reply to Office Action of August 1, 2006
Customer No. 27752

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REMARKS/ARGUMENTS

Claims 7, 8, 12, 14-16, 18-22, 24-26, 29, 35 and 42 are currently under consideration. Claims 36-40 are withdrawn from consideration.

Claim 1 (and, perforce, all claims depending directly or indirectly therefrom) has been amended to recite the sol/gel laponite mixture (basis at page 13, lines 17-20 and page 47, line 1 – mixture of sol/gel laponites). The platelet size has been deleted. The pH range of 11.5 the 13.5 has been inserted. (Basis at page 4, line 3.)

Claims 1-6, 9-11, 13, 17, 23, 27-28, 30-34 and 43-44 are cancelled without prejudice.

It is submitted that all amendments are supported and entry is requested.

Applicants thank the Examiner for the withdrawal of the rejection of Claims 1-8, 10, 12, 14-16, 18-29, 35, 41 and 42 under 35 U.S.C. §112, first paragraph.

Rejections Under 35 USC 112, second paragraph

The Office Action states that Claims 1-8, 12, 14-16, 18-29, 35, 41 and 42 are rejected under 35 U.S.C. §112, second paragraph, particularly for the inclusion of the word "laponite" in Claim 1. Claim 1 as been cancelled without prejudice and therefore the rejection as been addressed.

Rejections Under 35 USC 103

Claims 1-8, 10, 12, 14-29, 35, 41 and 42 stand rejected over JP 60-141800 in view of US 6,194,362, US 5,202,050, JP8-151,597 and US 5,739,092, for reasons of record at pages 6-10 of the Office Action.

Applicants respectfully traverse all rejections, to the extent they may apply to the claims as now amended. All previous arguments in support of patentability continue to apply, but will not be exhaustively repeated herein, for the sake of brevity.

US 5,202,050, JP8-151,597 and US 5,739,092 are not cited with respect to teaching or suggesting perfumes. The Office Action has stated that JP 60-141800 does not specifically teach the use of odor masking perfumes and has discussed US 6,194,362 in the context of perfumes. Specifically stating that it would have been obvious to one of

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ordinary skill in the art, at the time the invention was made, to use a mixture of perfume ingredients as recited by the claims.

Applicants submit that JP 60-141800 ('800) in view of US 6,194,362 (Trinh et al.) does not teach or suggest the claims as amended. As amended Claim 8 requires a combination of materials for an odor-masking blooming perfume composition:

- a) at least 5% by weight thereof of one or more first perfume ingredients having boiling point of 250°C or less and Clog P of 3.0 or less;
- b) at least 40% by weight thereof of one or more second perfume ingredients having boiling point of 250°C or less and Clog P greater than 3.0; and
- c) at least about 15% by weight thereof of non-volatile perfume materials having a boiling point above 250°C at 1 atmosphere pressure comprising a musk or mixture of musks;

wherein at least one individual first or second perfume ingredient is present in an amount of at least 4% by weight of the odor-masking blooming perfume composition.

Neither reference, alone or in combination, teach or suggest the combination claimed. Specifically, the use of a musk or a mixture of musks in the amounts required by the present claims. One of ordinary skill would not arrive as such as combination as the use of musks is not suggested in either reference. Additionally, Trinh et al. discusses that non-blooming perfume ingredients should be minimized in the glass cleaning compositions and can be used in small amounts in some particular glass cleaning compositions. Col. 5, lines 44-51. As such, one of skill in the art would not arrive at the claimed composition of the present application. Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn.

In light of the foregoing, withdrawal of all rejections as with respect to the amended claims is requested. Applicants' attorney invites the Examiner to contact her regarding any questions he may have regarding the above referenced application.

Respectfully submitted,

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